

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 2404)**

In re the Application of:)	
)	
Manish Mangal et al.)	
)	
Serial No. 10/667,881)	Group Art Unit 2456
)	
Filed: September 22, 2003)	
)	Examiner: Yasin M. Barqadle
Confirmation No. 1159)	
)	
For: METHOD AND SYSTEM FOR)	
 UPDATING NETWORK PRESENCE)	
 RECORDS AT A RATE DEPENDENT)	
 ON NETWORK LOAD)	

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

LETTER OF CANDOR REGARDING PATENT TERM ADJUSTMENT

Dear Sir:

Applicant submits this Letter of Candor to notify the Office of a potential question regarding the 61 days of patent term adjustment that the Office computed for the period running from December 11, 2007, to June 11, 2008. Applicant understands that the Patent Office's position is that the 61 days of PTO-delay determined for that period is correct, as the successful pre-appeal brief panel review process rendered the advisory action and notice of appeal moot in terms of patent term adjustment. Applicant understands that this is because the pre-appeal brief review process is still a pilot program. Because the rules do not appear to address this situation, however, Applicant is submitting this Letter of Candor to make this point of record. If the Office

would like to discuss this issue further with the undersigned, the Office is invited to call the undersigned at (312) 913-2141.

Respectfully submitted,

**McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP**

Dated: October 26, 2009

By: /Lawrence H. Aaronson/
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